

**Wittels  
McInturff  
Palikovic**

January 29, 2024

**Via ECF**

The Honorable Joseph A. Marutollo  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Mirkin, et al. v. XOOM Energy, LLC, et al.*, No. 18 Civ. 2949 (ARR) (JAM)

Dear Judge Marutollo:

Plaintiff writes with Defendants' consent pursuant to Your Honor's Individual Practice IV to request that the Court briefly extend the deadline for submitting the parties' joint letter regarding Defendants' planned motion for decertification from Wednesday, January 31 to Tuesday, February 6.

The reason for this request is that we anticipate requiring additional time to properly respond to Defendants' position given commitments on other matters. Defendants provided their portion of the letter to Plaintiff's counsel this morning as promised but, upon our initial review, we will need additional time.

Pursuant to Your Honor's January 19, 2024 Minute Entry, the current deadline is January 31. Plaintiff is requesting an extension to February 6. This is the first request to extend this deadline. All parties consent to this request and no other scheduled dates are affected.

Thank you for the Court's consideration of this request.

Respectfully submitted,

/s/ Ethan D. Roman  
Ethan D. Roman

cc: All counsel of record (via ECF)